

**MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS
HELD ON TUESDAY, NOVEMBER 10, 2009**

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Tuesday, November 10, 2009 at 6:30 p.m.

Mayor Chris Holland called the Town Council meeting to order.

Attendance Roll Call:

The following were present: Mayor Chris Holland, Recorder-Treasurer Stacy Digby, and Aldermen: Toby Lester, Richard Boles, and Keven Varner. Alderman Sandy Evans arrived during the review of the Department and Commission Reports. Aldermen James "Butch" Wiand was absent. The city's attorney Steve Miller was present. See attendance sheet for others attending.

The minutes of the regular meeting of the Town Council dated October 13, 2009 were presented. The Mayor asked if there was any discussion. Alderman Toby Lester made a motion to waive the reading and accept the minutes for that meeting in their present form. Alderman Keven Varner seconded the motion. Lester, Boles and Varner voted yes. There were no votes in opposition. Motion carried.

Review of Department and Commission Reports

Written reports were submitted by the following persons for the following departments and commissions, and copies of each are attached:

<u>Department / Commission</u>	<u>Report Submitted By</u>
Street and Maintenance Department Report	NONE SUBMITTED
Fire Department Report	Chief Jeremy Jackson
Police Department Report	Chief Jack Sanders
Parks Commission Report	NONE SUBMITTED
Water & Wastewater Report	Frank Holzkamper
Building Inspection /Code Enforcement Report	Rob Holland

Alderman Boles asked Rob Holland to explain the part of his report dealing with a grant application to purchase tornado sirens. Alderman Boles asked Fire Chief Jeremy Jackson about a water rescue listed in his report and whether the county also sent people to the rescue.

Frank Holzkamper informed the council that Water/Wastewater Department and the Highfill Water Committee had recently completed a study, conducted by the Community Resource Group, of the current rate structure for services of Highfill Water System. Based on recommendations from the Community Resource Group and the American Water Works Association rate setting manual, they had determined that a change in the rate structure was needed and would be in the best interest of Highfill. A change in the rate structure would make water rates easier to understand and manage in the future, avoid lost revenue and unfairness caused by base rate or minimum charges, and foster water conservation in the future by having customers pay for all water used. Frank Holzkamper passed out an ordinance that will be on the December agenda for the council to review. It deals with changing the foregoing water rate structure.

Public Hearing for Rural Services Block Grant

The Mayor opened the floor for a public hearing on the Town of Highfill's submission of a grant application for a grant under the Rural Services Block Grant Program to be utilized for the purchase of turn-out gear for the Highfill Volunteer Fire Department. Fire Chief Jeremy Jackson addressed the council and told the council the grant would be used for turn-out gear and was for \$50,000.00. There was no further comment from the public. There being no further discussion, the Mayor declared the public hearing closed.

Open Hearing

The Mayor opened the floor to the public. LaJoyce Vann said the department reports, with the exception of the Water and Sewer Department report, were not very complete. She thought they should give a better explanation if they were to be included in the minutes. She felt that someone reading them at a later date, or without previous knowledge of the events, would not understand them. Therefore they were not good for public records. There being no further discussion, the Mayor declared the hearing closed.

Old Business

The only item of old business was an Ordinance penalizing criminal trespass into the Town's municipal parks, prescribing penalties for violations, and other matters. A motion was made by Alderman Keven Varner to place the Ordinance on its second reading, suspending the rules and reading the Ordinance by title only. The motion was seconded by Alderman Richard Boles. Lester, Boles, Varner and Evans voted in favor of the motion. There were no votes in opposition. The Mayor noted that the motion was passed by two-thirds of the members of the council, and an ordinance entitled:

**“AN ORDINANCE PENALIZING CRIMINAL TRESPASS IN THE TOWN'S
MUNICIPAL PARKS; PRESCRIBING PENALTIES FOR VIOLATION
THEREOF; AND OTHER MATTERS PERTAINING THERETO.”**

was then read for the second time by title only.

Alderman Evans asked the Mayor why he didn't ask for a motion to suspend the rule requiring three readings. He said he went with the motion that was made by the council. She said that she felt all ordinances should be read three times to give the citizens time to learn about them and voice their concerns.

New Business

Before beginning discussion of the new business, the Mayor requested that the council amend the agenda to move item number 1), the Submission of the 2010 Budget, to be the last item discussed under new business. A motion was then made by Alderman Toby Lester to amend the agenda and move the 2010 Budget discussion to be the last item under new business. The motion was seconded by Alderman Richard Boles. Lester, Boles and Varner voted yes, Evans voted no. The motion carried.

The first item of new business was a Resolution authorizing the Mayor of the Town of Highfill to apply for a grant on behalf of the Town of Highfill under the Rural Services Block Grant Program. The grant would be used to purchase turn-out gear for the Highfill Volunteer Fire Department. Fire Chief Jeremy Jackson noted that this was a matching grant, and noted that the Resolution needed to be revised to show that the council would approve the sum of \$5,000.00 to be used as matching funds toward the grant. He noted that there were sufficient funds in the Fire Equipment Savings Account established pursuant to Resolution No. 25-2008, and asked that the sum of \$5,000.00 be appropriated from the Fire Equipment Savings Account to be used as matching funds for the grant. The council agreed, and the Resolution was revised to include this information. A motion to approve the Resolution was made by Alderman Keven Varner and seconded by Alderman Richard Boles. Lester, Boles, Varner and Evans voted in favor of the motion. There were no votes in opposition. Motion carried. The Resolution was given No. 21-2009.

The next item on the Agenda was a Resolution for an Anti-Displacement Plan by the Town of Highfill. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman Keven Varner. Lester, Boles, Varner and Evans voted in favor of the motion. There were no votes in opposition. Motion passed. The Resolution was given No. 22-2009.

The next item on the Agenda was a Resolution establishing a policy prohibiting the use of excessive force by law enforcement agencies within the Town of Highfill against individuals engaged in non-violent civil rights demonstrations. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman Keven Varner. Lester, Boles, Varner and Evans voted in favor of the motion. There were no votes in opposition. Motion passed. The Resolution was given No. 23-2009.

The next item of new business was a Resolution authorizing the Mayor to transfer excess sales tax revenue from the Water Improvement Fund to the General Fund. A motion to approve the Resolution was made by Alderman Keven

Varner and seconded by Alderman Toby Lester. Lester, Boles, Varner and Evans voted in favor of the motion. There were no votes in opposition. Motion passed. The Resolution was given No. 24-2009.

The final item discussed was the 2010 Budget. The Mayor submitted to the council his proposed Budget for 2010. The Mayor and the council then proceeded to review each page of the Budget.

During discussion of the street department budget, the Mayor told the council that he discussed with the county the possibility of contracting them to blade the roads for the city. He also told the council that they wanted to purchase a compact tractor and finish mower. During the review of the parks budget, Alderman Evans told the council she was still waiting for the new pavilion to be installed.

During the review of the Police Department budget report, Police Chief Jack Sanders addressed the council. He noted that the Police Department needed to proceed with the purchase of a new police cruiser for utilization by the department. He was looking at buying a crew cab truck. He noted that no funds had been included in the 2010 Budget for the police cruiser, and requested the council's approval to go ahead and proceed with purchasing the vehicle at this time. He noted that the Police Equipment Savings Account established pursuant to Resolution No. 26-2008 held a total sum of about \$30,000.00 that could be utilized for the purchase of the police cruiser. He also noted that the 2009 Budget had approved the deposit of up to \$16,000.00 into the Police Equipment Savings Account and requested that the council approve a deposit of an additional \$14,000.00 into the Police Equipment Savings Account to bring the total to \$30,000.00 and then appropriate that sum from the Police Equipment Savings Account for the purchase of the new police cruiser. After some discussion, a motion was made by Alderman Toby Lester to approve the deposit of an additional \$14,000.00 into the Police Equipment Savings Account established by Resolution No. 26-2008, and then appropriate the total sum of \$30,000.00 from the Police Equipment Savings Account to be used toward the purchase of the new police cruiser. The motion was seconded by Alderman Keven Varner. Aldermen Lester and Varner voted in favor of the motion. Aldermen Boles and Evans voted against the motion. The Mayor cast the third vote in favor of passing the motion. The motion carried.

Fire Chief Jeremy Jackson told the council that the fire department budget was \$25,000 less than last year. He said that there was standpipe equipment budgeted to be purchased next year. It was needed to fight fires at the Children's Shelter and other commercial structures that were built in town. He also wanted to find some used thermal imaging equipment.

Sandy noted the Park's budget was cut 45%. She said that she wanted to make one big improvement to the park next year, but the commission had not decided what that was yet. Richard Boles then asked questions about the Building Inspection/Code Enforcement report and the lack of a Street and Maintenance report. He also asked what developments were happening in town besides the Children's Shelter. Rob said Silver Meadows was making progress. The council agreed that the budget committee should meet later that week to discuss budget with department heads.

Financial Report

The Financial Report for the month of October 2009 was presented for review (see attached). A motion was made by Alderman Sandy Evans to approve the Financial Report. The motion was seconded by Alderman Keven Varner. Lester, Boles, Varner and Evans voted in favor of the motion. There were no votes in opposition. Motion passed.

Mayor's Report

The Mayor had no additional information to report to the council. His comments concerned the 2010 Budget that had been submitted.

Discussion

Jeanetta reminded everyone of the Senior's Potluck Dinner, Community Christmas Dinner, and City Fall Clean-up.

Adjournment

There being no further business to come before the Council, a motion to adjourn was made by Alderman Toby Lester and seconded by Alderman Richard Boles. All voted in favor. Motion carried. Meeting adjourned.

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)